

REMARKS/ARGUMENTS

The Examiner is requiring restriction to one of the following groups:

Group I: Claims 1-4, drawn to a solid water-free and alkanol-free composite material as that detailed out in claim 1;

Group II: Claim 5, drawn to a method of making said composite material;

Group III: Claims 6-7 and 9, drawn to a method of using said composite material; and

Group IV: Claim 8, drawn paint, ink formulation, coating or overcoating formulation.

Applicant provisionally elect Group I, Claims 1-4, drawn to a solid water-free and alkanol-free composite material, with traverse, on the grounds that no adequate reasons and/or examples have been provided to support a conclusion of patentable distinctiveness between the identified groups. Also, it has not been shown that a burden exists in searching the claims of the four groups.

Moreover, the M.P.E.P. at § 803 states as follows:

“If the search and examination of an entire application can be made without a serious burden, the Examiner must examine it on the merits, even though it includes claims to distinct or independent inventions.”

Applicant respectfully submits that a search of all of the claims would not impose a serious burden on the Office.

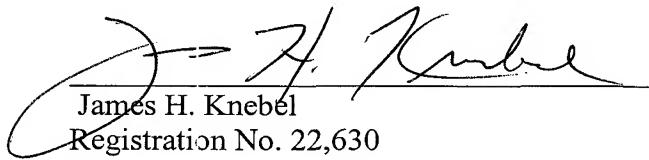
Finally, Applicant respectfully submits that, should the claims of Group I be found allowable, the Office should expand its search to the claims of Groups II through IV.

Accordingly, and for the reasons presented above, Applicant submits that the Office has failed to meet the burden necessary in order to sustain the Restriction Requirement. Withdrawal of the Restriction Requirement is respectfully requested.

Applicants respectfully submit that the above-identified application is now in condition for examination on the merits, and early notice of such action is earnestly solicited.

Respectfully submitted,

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